

III. REMARKS

In the Final Office Action mailed June 19, 2003, Claims 1, 6, 8, 9, 11, 18-21 and 23 were rejected under 35 U.S.C. 103 as being unpatentable over Hennessey (US 6,487,307) in view of DeYong (WO 99/16010), Herbert (US 5,352,329) and Kanno (US 6,069,971), Claims 2-5, 12 and 22 were rejected under 35 U.S.C. 103 as was claim 1 and further in view of Roy (US 6,118,540), Claim 7 was rejected under 35 U.S.C. 103 as was claim 1 and further in view of Juvinal (US 4,066,363) and Maeda (US 5,153,444), Claim 10 was rejected under 35 U.S.C. 103 as was claim 8 and further in view of Langley (US Pat. Pub. 2001/0012392), Claims 13 and 14 were rejected under 35 U.S.C. 103 as was claim 11 and further in view of Lemmers (US 4,641,966), Claims 15 and 16 were rejected under 35 U.S.C. 103 as was claim 11 and further in view of Maeda, and Claim 17 was rejected under 35 U.S.C. 103 as was claim 11 and further in view of Juvinal for reasons set forth in the Action.

These grounds of rejection are believed to be overcome by this response for the reasons set forth in the Remarks of the unentered response to the Final Rejection. The examiner is requested to consider the argument presented in the Remarks of the unentered after-Final response.

The new claims 24-27 presented herein are believed to emphasize the inventive feature of determining a band of pixels having a value of gray-scale darkness among many other pixels (including both light and dark pixels) in an image of a BEW region of an OPC device, and the further inventive feature of taking the ratio of the number of pixels in the band to the total number of

pixels in the image, wherein a magnitude of the ratio serves as a measure of a manufacturing defect. These features are not disclosed in, or suggested by, a combination of the teachings of the cited references Hennessey, DeYong, Herbert and Kanno.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$1,124.00 is enclosed for the RCE fee, a one month extension of time and additional claim fees. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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2 OCTOBER 2003
Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop, RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 10/2/03

Signature: Fernanda Beluchia
Person Making Deposit